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Representing the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

GIUSEPPE RUSSO,

Defendant.

2:17-cr-00243-JCM-NJK

STIPULATION FOR A
PROTECTIVE ORDER

The parties, by and through the undersigned, respectfully request that the Court issue an Order protecting from disclosure to the public, or any third party not directly related to this case, any recordings produced by the Government during discovery under Bates stamp number PO 1 (the "Protected Material"). The parties state as follows:

1. The indictment in this case first issued on August 2, 2017.
2. Trial is currently set for October 30, 2017. The Government desires and intends to continue producing discovery, including that discovery designated by Bates stamp number PO 1, as soon as possible.
3. The indictment in this case arises out of an officer-involved shooting and

1 there are a significant number of bodycam videos. While the Government has already
2 made available a significant amount of redacted discovery designated by Bates stamp
3 numbers 0001-0285, disclosure of additional discovery of bodycam videos which include
4 personal identifying information of witnesses and suspects have not yet been produced.
5 That yet to be produced material, the Protected Material, is designated by Bates stamp
6 number PO 1.

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8 4. The Government believes that dissemination of the Protected Material,
9 could reveal personal identifying information of potential witnesses.

10 5. In order to protect the witnesses involved in and revealed by the Protected
11 Material, the parties intend to restrict access to the Protected Material in this case to
12 the following individuals: the defendants, attorneys for all parties, and any personnel
13 that the attorneys for all parties consider necessary to assist in performing that
14 attorneys' duties in the prosecution or defense of this case, including investigators,
15 paralegals, experts, support staff, interpreters, and any other individuals specifically
16 authorized by the Court (collectively, the "Covered Individuals").

17 6. Without leave of Court, the Covered Individuals shall not:

- 18 a. make copies for, or allow copies of any kind to be made by any other
19 person of the Protected Material in this case or permit dissemination
20 of the Protected Material at the Pahrump jail facility, or any other
21 detention facility where the Defendant is housed, to include leaving
22 a copy of the Protected Material at any detention facility where the
23 Defendant is housed;
- 24 b. allow any other person to read, listen, or otherwise review the
Protected Material;
- c. use the Protected Material for any other purpose other than

1 preparing to defend against or prosecute the charges in the
2 indictment or any further superseding indictment arising out of this
3 case; or

- 4 d. attach the Protected Material to any of the pleadings, briefs, or other
5 court filings except to the extent those pleadings, briefs, or filings are
6 filed under seal.

7 7. Nothing in this stipulation is intended to restrict the parties' use or
8 introduction of the Protected Material as evidence at trial or support in motion practice.

9 8. The parties shall inform any person to whom disclosure may be made
10 pursuant to this order of the existence and terms of this Court's order.

11 9. Should a reasonable need for this protective order cease to exist, on grounds
12 other than a Covered Individual or some other person violating or circumventing its
13 terms, the Government will move expeditiously for its dissolution.
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10. The defense hereby stipulates to this protective order.

Respectfully submitted,
For the United States:

STEVEN W. MYHRE
Acting United States Attorney

/s/
CHRISTOPHER BURTON
Assistant United States Attorney

For the Defense:

/s/
RAQUEL LAZO
Attorney for GIUSEPPE RUSSO

IT IS SO ORDERED:


NANCY J. KOPPE
United States Magistrate Judge

November 27, 2017

Date